

REMARKS

Reconsideration of the above-identified application in view of the present amendment is respectfully requested.

The applicant's representative would like to thank the Examiner for the time and effort provided by the Examiner for the Examiner interview on January 19, 2006. During the interview, it was discussed that the Anasako patent (U.S. Patent No. 6,774,542) does not qualify as prior art. Accordingly, it is respectfully requested that all of the rejections of the claims which are based at least in part upon the Anasako patent be withdrawn.

This leaves only the rejection under 35 U.S.C. §112 to address. First, it is noted that the rejection under 112 is based upon a concern for the use of the language "migration emitor layer" and/or "migration receptor layer." It should be noted that only independent claim 43 contained such language. Specifically, independent claims 59, 62, and 77 did not contain such language. Accordingly, it is respectfully submitted that rejection of independent claims 59, 62, and 77 is not proper. Accordingly, it is respectfully requested that the Examiner identify these independent claims and the claims dependent therefrom as not being within the rejection under 35 U.S.C. §112.

Focusing on the single independent claim (claim 43) that is at issue, the present amendment removes the language concerning migration emitor layer and migration receptor layer. It is believed that the current language within claim 43 clearly spells out the problem and solution provided by the present invention. Moreover, it is believed that this claim language will be clearly understood by the person of ordinary skill in the art upon reading the specification of the subject application. Accordingly, it is respectfully submitted that the issues raised within the rejection under 35 U.S.C. §112 have been addressed, and it is respectfully requested that the rejection be withdrawn.

Appl. No. 10/061,550
Amdt. dated January 19, 2006
Reply to Office action of September 19, 2005

Of course, the Examiner is invited to call the applicant's representative if anything needs to be addressed.

If there are any further fees required by this communication, or if no check is enclosed, please charge the same to Deposit Account No. 16-0820, Order No. 33923.

Respectfully submitted,
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